

# PERKINS COIE

700 13<sup>th</sup> Street, NW  
Suite 600  
Washington, DC 20005-3960

• +1 202 654 6200  
• +1 202 654 6211  
perkinscoie.com

August 1, 2016

Marc Erik Elias  
MElias@perkinscoie.com  
D. (202) 434-1609  
F. (202) 654-9126

Federal Election Commission  
Jeff S. Jordan, Assistant General Counsel  
Office of Complaints Examination  
and Legal Administration  
999 E. Street, NW  
Washington, DC 20463

Re: MUR 7097

Dear Mr. Jordan:

We represent Priorities USA Action and Greg Speed in his official capacity as Treasurer in the above-referenced matter. Because the Complaint presents no violation or evidence in support of an alleged violation, it does not meet the regulatory requirements for a complaint that may be considered by the Commission. Thus, the Commission must find that no reason to believe a violation occurred, dismiss the allegations, and close the file.

The Complaint briefly contends, without substantiation, that Priorities USA Action (the "Committee") has received contributions from foreign nationals. The Complaint does not provide any evidence of impermissible contributions from foreign nationals, or even the particular contributors – all of whom have been publicly disclosed to the Commission and the public – that could be at issue. To the extent the Complaint makes these allegations, Respondents unequivocally reject and deny these misleading and fictitious claims.

The Federal Election Commission ("FEC") must dismiss this Complaint under the standards it has established for evaluating allegations. A complaint must "contain a clear and concise recitation of the facts which describe a violation of a statute or regulation over which the Commission has jurisdiction." 11 C.F.R. § 111.4(d)(3). This Complaint does not meet that standard. Where an evidentiary showing fails to provide "a sufficiently specific allegation [] so as to warrant a focused investigation that can prove or disprove the charge," the Complaint must be dismissed. *See* Statement of Reasons, Matter Under Review 4960 (Dec. 21, 2000). Similarly, unwarranted legal conclusions and mere speculation should not be credited. Statement of Reasons, Matter Under Review 5141 (Apr. 17, 2002). As the Complaint fails to provide a specific allegation and consists of mere speculation and unsubstantiated legal conclusions, the Commission should, as it has in the past when faced with similar claims, conclude that "the complaint does not meet the threshold for finding reason to believe" any violation occurred. First General Counsel's Report, Matter Under Review 5304 (Jan. 21, 2004) at 9.

Indeed, Respondents are confused as to why they received this Complaint at all from the Commission. Under Commission regulations, "the General Counsel shall review the complaint

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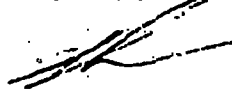
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for substantial compliance with the technical requirements of 11 CFR 111.4, and, if it complies with those requirements shall within five (5) days after receipt notify each respondent that the complaint has been filed, advise them of Commission compliance procedures, and enclose a copy of the complaint." 11 C.F.R § 111.5(a). This Complaint plainly does not meet the requirements of Section 111.4 as to Respondents.

Respondents respectfully request the Commission promptly find no reason to believe any violation occurred, dismiss the matter and close the file.

We appreciate the Commission's consideration of this response.

Very truly yours,



Marc E. Elias  
Ezra W. Reese  
David J. Lazarus  
Counsel to Priorities USA Action

16044471001



FEDERAL ELECTION COMMISSION  
999 E Street, NW  
Washington, DC 20463

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STATEMENT OF DESIGNATION OF COUNSEL  
Please use one form for each Respondent/Entity/Treasurer  
FAX (202) 219-3923

MUR # 7097

NAME OF COUNSEL: Marc E. Elias; Ezra W. Reese; David J. Lazarus

FIRM: Perkins Coie LLP

ADDRESS: 700 13th Street N.W. Suite 600

Washington, DC 20005

TELEPHONE- OFFICE ( 202 ) 654-6200

FAX (      )                      Web Address www.perkinscoie.com

The above-named individual and/or firm is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

07/19/16  
Date

  
Respondent/Agent -Signature

Treasurer  
Title(Treasurer/Candidate/Owner)

RESPONDENT: Priorities USA Action; Greg Speed, Treasurer  
(Committee Name, Company Name, or Individual Named in Notification Letter)

MAILING ADDRESS: 601 13th Street N.W. Suite 610N  
(Please Print)

Washington, DC 20005

TELEPHONE- HOME                     

BUSINESS ( 202 ) 365-0544

Information is being sought as part of an investigation being conducted by the Federal Election Commission and the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) apply. This section prohibits making public any investigation conducted by the Federal Election Commission without the express written consent of the person under investigation

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